

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA

Civil Action No.: 1:23-cv-367

ANDREW S. BEERS, individually and on)
behalf of all other similarly situated,)

Plaintiff,)

v.)

TERRY S. JOHNSON, in his official)
capacity as SHERIFF OF ALAMANCE)
COUNTY, NORTH CAROLINA,)

Defendant.)

**DEFENDANT’S MOTION FOR
EXTENSION OF TIME TO ANSWER OR
OTHERWISE RESPOND TO
PLAINTIFFS’ COMPLAINT**

Defendant, Terry S. Johnson, in his official capacity as Sheriff of Alamance County, North Carolina (hereinafter “Defendant”) by and through the undersigned counsel, hereby moves the Court pursuant to Federal Rules of Civil Procedure 6(b) for an order enlarging the time allowed for Defendant to respond to Plaintiff’s Complaint for thirty (30) additional days for good cause shown, up to and including July 3, 2023, or the next day that is not a weekend or holiday, be allowed. This Motion for Extension of Time to Respond to Plaintiff’s Complaint is made without waiving any Rule 12 defenses under the Federal Rules of Civil Procedure, as to personal or subject matter jurisdiction, service or process of service.

In support of this motion Defendant respectfully states to the Court that additional time is needed for the investigation and preparation of the Responsive Pleading or other response to the Complaint in the above case and respectfully moves the Court for a thirty (30) day extension of time within which to serve the Responsive Pleading or otherwise plead.

Defendant states he was served with the Complaint on May 12, 2023, and, therefore, the time to file a responsive pleading has not yet passed.

Plaintiff's counsel has indicated that Plaintiff consents to this motion.

This motion is filed in good faith for the reasons stated and not for purposes of delay.

WHEREFORE, Defendant Terry S. Johnson, in his official capacity as Sheriff of Alamance County, North Carolina hereby respectfully requests that his Motion for Extension of Time to Answer or Otherwise Respond to Plaintiff's Complaint be GRANTED and for an Order enlarging the time to file an answer or other responsive pleading in response to Plaintiff's Complaint by thirty (30) days, or until July 3, 2023 (as July 2nd is a Sunday).

This the 1st day of June, 2023.

CRANFILL SUMNER LLP

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CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2023, I electronically filed the foregoing ***DEFENDANT'S MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFFS' COMPLAINT*** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel of record:

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